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Attorneys for Defendants  
CITY AND COUNTY OF SAN FRANCISCO,  
SHERIFF MICHAEL HENNESSEY,  
GLENN YOUNG, MIGUEL PRADO AND  
LARRY NAPATA

THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ERNEST HENDERSON, JANEL  
GOTTA, AARON RAULS, MICHAEL  
PEREZ, ARTURO PLEITEZ,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, SAN FRANCISCO  
SHERIFF'S DEPARTMENT, SAN  
FRANCISCO DEPARTMENT OF  
PUBLIC HEALTH SERVICES,  
SHERIFF MICHAEL HENNESSEY,  
DEPUTY GLENN YOUNG, DEPUTY  
MIGUEL PRADO, DEPUTY LARRY  
NAPATA, AND DOES 1-11,

Defendants.

Case No. C05-0234 VRW

**~~PROPOSED~~ STIPULATED  
PROTECTIVE ORDER FOR  
CONFIDENTIAL PERSONNEL  
INFORMATION PRODUCED IN  
DISCOVERY**

Date Action Filed: January 14, 2005  
Trial Date: None Set

**STIPULATED PROTECTIVE ORDER**

1  
2 1. Plaintiffs have sought discovery of certain personnel records related to the  
3 individual defendants in this action. Defendants will produce certain of those personnel records  
4 to Plaintiffs' Counsel pursuant to this Protective Order.

5 2. The materials to be produced will be referred to as "CONFIDENTIAL  
6 PERSONNEL INFORMATION."

7 3. The CONFIDENTIAL PERSONNEL INFORMATION shall not be exhibited,  
8 played or otherwise disclosed, by Plaintiff's Counsel to other persons except as specifically  
9 provided herein.

10 4. Plaintiff's Counsel may exhibit and/or disclose CONFIDENTIAL PERSONNEL  
11 INFORMATION only to the following categories of person and no other unless authorized by  
12 order of the Court:

13 a. Plaintiff's Counsel;

14 b. Experts, investigators or consultants retained by Plaintiff's Counsel to  
15 assist in the evaluation, preparation, or trial of this case; however, before any expert,  
16 investigator, or consultant is permitted to review the CONFIDENTIAL PERSONNEL  
17 INFORMATION, such individual must agree to comply with the terms of this Protective Order  
18 by executing the document attached as Exhibit A. Plaintiff's counsel shall file and serve any  
19 Agreement to Comply with the terms of the Order upon its execution; however, Plaintiff's  
20 counsel shall not be required to file any Agreement to Comply any earlier than the date that  
21 Expert Disclosures are required to be made. Experts, investigators, and consultants shall not  
22 have any power to authorize further disclosure of CONFIDENTIAL PERSONNEL  
23 INFORMATION to any other person.

24 5. Counsel for Plaintiff may not provide originals or copies of the CONFIDENTIAL  
25 PERSONNEL INFORMATION to any plaintiff absent the written agreement of counsel for the  
26 City or a court order. For purposes of evaluating the settlement value or potential jury verdict,  
27 counsel for Plaintiff may discuss the general nature of the CONFIDENTIAL PERSONNEL  
28 INFORMATION with plaintiffs without disclosing any identifying details about a specific

1 incident or any documents. Plaintiffs' counsel may also review with a plaintiff any statement or  
2 interview given by that plaintiff.

3         6. Nothing contained in this order shall prohibit any person, including any persons  
4 described in 3(a-b) above, from using or referring to CONFIDENTIAL PERSONNEL  
5 INFORMATION covered by this Protective Order in motion papers or pleadings filed with the  
6 Court, provided that adequate provision is made to protect the confidentiality of the  
7 CONFIDENTIAL PERSONNEL INFORMATION and provided that any portion of such motion  
8 papers or legal pleadings that reference said CONFIDENTIAL PERSONNEL INFORMATION,  
9 if filed, are filed under seal pursuant to the Court's rules and procedures (see Civil Local Rule  
10 79-5).

11         7. In the event any person described in 3(a-b) above, desires to exhibit documents or  
12 disclose CONFIDENTIAL PERSONNEL INFORMATION covered under this stipulation to  
13 witnesses during trial or pretrial proceedings, such person shall meet and confer with counsel for  
14 defendants to reach an agreement, in accordance with the Court's rules and procedures, on an  
15 appropriate method for disclosure. Unless otherwise agreed, transcripts and exhibits that  
16 incorporate documents and CONFIDENTIAL PERSONNEL INFORMATION covered under  
17 this stipulation shall be sealed in accordance with the Court's rules and procedures, and shall be  
18 subject to the provisions of this Protective Order.

19         8. At the conclusion of this litigation, by whatever means resolved, all persons shall  
20 return all copies of the CONFIDENTIAL PERSONNEL INFORMATION covered by this  
21 Stipulation and Order, including all copies provided to any persons described in 3(a-b) above, to  
22 counsel for defendants.

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9. If the Court finds that any person, including any person described in 3(a-b) above, is responsible for the unauthorized disclosure of any documents, records or Confidential Personnel Information disclosed pursuant to this Protective Order, Plaintiffs or Plaintiff's Counsel, or any person disclosing such documents, including any persons described in 3(a-b) above, or any of them, may be subject to sanctions and possible contempt.

IT IS AGREED:

DATED: 12/23/05 By: Scot Candell  
SCOT CANDELL, ESQ.

Attorneys for Plaintiffs  
ERNEST HENDERSON, JANEL GOTTA,  
AARON RAULS, MICHAEL PEREZ,  
and ARTURO PLEITEZ

DATED: 12/23/05 DENNIS J. HERRERA  
City Attorney  
JOANNE HOEPER  
Chief Trial Deputy  
JENNIFER E. CHOI  
PETER J. KEITH  
Deputy City Attorneys

By: Peter J. Keith  
PETER J. KEITH

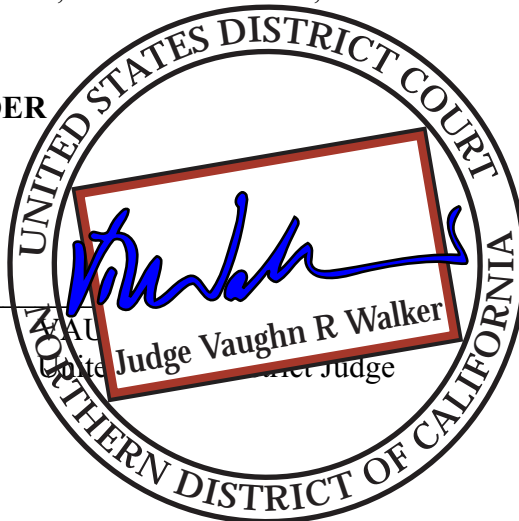
Attorneys for Defendants  
CITY AND COUNTY OF SAN FRANCISCO,  
SHERIFF MICHAEL HENNESSEY, GLENN  
YOUNG, MIGUEL PRADO, LARRY NAPATA

IT IS SO ORDERED.

DATED: December 29, 2005

ORDER

By:   
Judge Vaughn R. Walker  
United States District Judge



**EXHIBIT A**

*Henderson v. City and County of San Francisco, et al.*, Case No. C05-0234 VRW  
United States District Court, Northern District of California

**AGREEMENT TO COMPLY WITH STIPULATED PROTECTIVE ORDER FOR  
CONFIDENTIAL PERSONNEL INFORMATION**

I, SCOT CANDELL, have read and understand the Court's Protective Order for  
CONFIDENTIAL PERSONNEL INFORMATION. I agree to abide by all terms of the Order.

In addition, I specifically understand and agree to the following:

1. I will not disclose the CONFIDENTIAL PERSONNEL INFORMATION to any other  
person.

2. I understand that I have no power to authorize any other person to review the  
CONFIDENTIAL PERSONNEL INFORMATION.

3. I agree not to make copies of the CONFIDENTIAL PERSONNEL INFORMATION.

4. I agree to return the CONFIDENTIAL PERSONNEL INFORMATION to the counsel  
for the party that produced it, at or before the conclusion of this litigation.

5. I understand that if I violate any of the terms of the Protective Order, then Plaintiffs,  
Plaintiffs' Counsel, and I may be subject to sanctions or possible contempt.

AGREED:

12/23/05

DATE

Scot Candell

SIGNATURE

SCOT CANDELL

PRINT NAME